

not teach a coating that includes the reaction product of acrylate oligomer and polyether acrylate oligomer. Instead, JP '353 discloses an organic solvent-based composition that optionally includes vinyl-based polymer. None of the vinyl-based polymers of JP '353 are the reaction product of acrylate oligomer and polyether acrylate oligomer.

JP '628 does not cure the deficiencies of JP '353. To establish obviousness based upon a proposed combination of references there must be some teaching, suggestion or motivation in the prior art for making the proposed combination. See Fromson v. Anitec Printing Plates, Inc., 132 F.3d 1437 (Fed. Cir. 1997); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1352, (Fed. Cir. 1998). Here there is no such teaching, suggestion or motivation. JP '628 discloses an adhesive that is "monomer and/or oligomer type," and then goes on to disclose a number of monomers and oligomers. At no point, however, does JP '628 disclose the specific combination of acrylate oligomer and polyether acrylate oligomer. JP '628 is further deficient in that, contrary to what Applicant understands to be asserted in the June 10, 2002 Office action, nothing in JP '628 teaches or suggests that the reaction product of acrylate oligomer and polyether acrylate oligomer is a suitable alternative to the vinyl-based polymer disclosed in JP '353. Thus, the skilled artisan would have no reason to modify the composition of JP '353 in light of JP '628 in the manner proposed in the Office action. Moreover, the composition of JP '628 is an adhesive composition—not a detackifying composition. Thus, the skilled artisan familiar with JP '353 would have no reason to look to JP '628.

Key  
issue

The Office action cites the Concise Encyclopedia of Polymer Science and Engineering for the proposition that photoinitiated polymerization of acrylate resins (monomers and oligomers) is widely employed commercially. The fact that it is known to polymerize acrylate resins with UV radiation is of no moment. Nothing in such a disclosure teaches or suggests a detackifying composition that includes the reaction product of acrylate oligomers and polyetheracrylate oligomers, or a roll of pressure sensitive adhesive tape that includes a nontacky edge face on which is disposed a coating that includes the reaction product of acrylate oligomers and polyetheracrylate oligomers. Accordingly, the cited references of JP '353, JP '628 and the Concise Encyclopedia of Polymer Science and Engineering fail to provide the skilled artisan with the requisite motivation to modify the composition of JP '353 in the manner proposed in the Office

action. Applicant submits, therefore, that the rejection of claim 19 under 35 U.S.C. § 103 over JP '353 in view of JP '628 is unwarranted and requests that it be withdrawn. If the rejection is maintained, Applicant respectfully requests clarification and a more detailed explanation as to the basis for the alleged suggestion or motivation to modify JP '353, the manner in which JP '353 would be modified, and the description of the composition or product resulting from that modification.


Claims 20-35 are distinguishable over the proposed combination of JP '353 and JP '628 for at least the same reasons set forth above in distinguishing claim 19. Applicant submits, therefore, that the rejection of claims 20-35 under 35 U.S.C. § 103 over JP '353 in view of JP '628 is unwarranted and requests that it be withdrawn.

The claims pending in the application are in condition for allowance and such action is respectfully requested. The Examiner is invited to telephone the undersigned if a teleconference interview would facilitate prosecution of this application.

Please charge any fees or credit any over payments to Deposit Account No. 501,171.

Respectfully submitted,

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Allison Johnson  
Reg. No. 36,173

Allison Johnson, P.A.  
6016 Logan Ave. S.  
Minneapolis, MN 55419  
Telephone (612) 861-8621  
Facsimile (612) 861-8628